

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

AMERICAN
RECEIVED

DR. ROBERT J. WALKER,)
Plaintiff,)
v.)
II. COUNCILL TRENHOLM STATE)
TECHNICAL COLLEGE,)
ANTHONY MOLINA, individually and)
in his official capacity as President, H.)
Council Trenholm State Technical)
College, ALABAMA DEPARTMENT)
OF POSTSECONDARY EDUCATION,)
and ROY W. JOHNSON, individually)
and in his official capacity as Chancellor)
of the Alabama Department of)
Postsecondary Education,)
Defendants.)
DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
CASE NUMBER: 2:06-CV49-D
2006 FEB 13 P 1:21

**UNOPPOSED MOTION FOR ENLARGEMENT OF TIME
TO SUBMIT A RESPONSIVE PLEADING**

Pursuant to Fed. R. Civ. P. 6(b), defendants H. Councill Trenholm State Technical College (“Trenholm”), Anthony Molina (“Molina”), Alabama Department of Postsecondary Education (“ADPE”), and Roy W. Johnson (“Johnson”) move the Court to enlarge the time for each to submit a responsive pleading an additional thirty (30) days. In support of this motion, Trenholm, Molina, ADPE, and Johnson state:

1. Defendants Trenholm, Molina, ADPE, and Johnson were each served with the plaintiff's summons and complaint on January 23, 2006 by certified mail.
2. Pursuant to Fed. R. Civ. P. 12, defendants Trenholm, Molina, ADPE, and Johnson deadline for filing a responsive pleading is February 13, 2006.

3. This extension will permit Trenholm, Molina, ADPE, and Johnson an opportunity to investigate properly the allegations set forth in plaintiff's complaint and prepare an appropriate responsive pleading.

4. The plaintiff's counsel has consented to this extension.

5. No party will be prejudiced by the request.

WHEREFORE, defendants Trenholm, Molina, ADPE, and Johnson move the Court to enlarge the time in which they have to submit a responsive pleading an additional thirty (30) days.

Respectfully submitted this 13th day of February 2006.



Joan Y. Davis
Attorney for Alabama Department of
Postsecondary Education

OF COUNSEL:

Alabama Department of Postsecondary Education
P.O. Box 302130
Montgomery, Alabama 36130-2130
jdavis@acs.cc.al.us

CERTIFICATE OF SERVICE

I hereby certify the above and foregoing has been served on the following counsel of record via the Court's CM/ECF Electronic Filing System on this the 13th day of February, 2006:

Candis A. McGowan
John D. Saxon, P.C.
2119 3rd Avenue North
Birmingham, Alabama 35203

Gary E. Atchison
P.O. Box 2002
Montgomery, Alabama 36102-2002

Nancy Elaine Perry
Alabama Education Association
P.O. Box 4177
Montgomery, Alabama 36103-4177



John Y. Davis
Of Counsel